

**ATTORNEY DOCKET NUMBER: 2006517-0010 (Bacterial Delivery DIV2)**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Caplan	Examiner:	Huynh
Serial No.:	10/728,323	Art Unit:	1644
Filing Date:	December 4, 2003	Conf. No.:	8163
Title:	MICROBIAL DELIVERY SYSTEM		

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**STATEMENT UNDER 37 C.F.R. § 1.57**

The present Application as filed incorporated the subject matter of U.S.S.N. 09/141,220 by reference. Applicant submits herewith an amendment in which the present specification has been amended to include material (in the form of a Sequence Listing) from U.S.S.N. 09/141,220. Applicant submits that the material being inserted is the material previously incorporated by reference and that the amendment contains no new matter.

If, at any time, it appears that a phone discussion would be helpful, the undersigned would greatly appreciate the opportunity to discuss such issues at the Examiner's convenience. The undersigned can be contacted at (617) 248-4903.

Respectfully submitted,

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